

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT District Attorney	(2) MEETING DATE 9/16/2014	(3) CONTACT/PHONE Debra Vallely 781-5821	
(4) SUBJECT Request to approve a renewal grant agreement for FY 2014-15 to receive funding from the State's Workers' Compensation Insurance Fraud Prosecution and Investigation Program in the amount of \$55,803 and submittal of a resolution authorizing the District Attorney to sign the State agreement and other grant related documents. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board approve and direct the Chair to sign the attached Resolution to authorize the District Attorney's Office, on behalf of the Board of Supervisors, to execute the attached Grant Award Agreement for FY 2014-15 and any extensions or amendments of the Workers' Compensation Fraud Investigation and Prosecution Program.			
(6) FUNDING SOURCE(S) Grant Funding	(7) CURRENT YEAR FINANCIAL IMPACT \$55,803.00	(8) ANNUAL FINANCIAL IMPACT \$55,803.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____ ) <input type="checkbox"/> Board Business (Time Est. ____ )			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A    Date: <u>August 20, 2013</u>	
(17) ADMINISTRATIVE OFFICE REVIEW Geoff O'Quest, Administrative Analyst			
(18) SUPERVISOR DISTRICT(S) All Districts			

# County of San Luis Obispo



TO: Board of Supervisors

FROM: Gerald T. Shea, District Attorney

DATE: 9/16/2014

SUBJECT: Request to approve a renewal grant agreement for FY 2014-15 to receive funding from the State's Workers' Compensation Insurance Fraud Prosecution and Investigation Program in the amount of \$55,803 and submittal of a resolution authorizing the District Attorney to sign the State agreement and other grant related documents. All Districts.

## **RECOMMENDATION**

It is recommended that the Board approve and direct the Chair to sign the attached Resolution to authorize the District Attorney's Office, on behalf of the Board of Supervisors, to execute the attached Grant Award Agreement for FY 2014-15 and any extensions or amendments of the Workers' Compensation Fraud Investigation and Prosecution Program.

## **DISCUSSION**

In 1991, the California Legislature found that Workers' Compensation Insurance Fraud harms employers by contributing to the increasingly high cost of insurance and harms employees by undermining the perceived legitimacy of all Workers' Compensation claims. The prevention of fraud will reduce claim payments resulting in a reduction in Workers' Compensation costs. Prevention of fraud will assist in restoring confidence in the system and will expedite compensation for employees injured at the work place. To this end, the Legislature approved Section 1872.83 of the California Insurance Code administered by the California Department of Insurance. It provides for an annual assessment by the Fraud Assessment Commission for programs which enhance Workers' Compensation fraud investigations and prosecutions.

The San Luis Obispo County District Attorney's Office has participated in this grant program since fiscal year 1992-93. The current grant award will fund approximately 28% of a District Attorney investigator position. The investigator will work with law enforcement and the California Department of Insurance to investigate and prepare workers' compensation fraud cases for prosecution. This is an ongoing program in the District Attorney's Office.

## **OTHER AGENCY INVOLVEMENT/IMPACT**

This item has been reviewed by County Counsel as to legal form and effect.

## **FINANCIAL CONSIDERATIONS**

The grant funding approved by the State Department of Insurance for FY 2014-15 is \$55,803. The grant funds will be used to fund DA Investigator hours. This revenue amount has been included in the FY 2014-15 department budget. These grant funds are administered by the State Department of Insurance. There is no sunset clause on the legislation. There is no financial impact on the General Fund and no county match requirement.

## **RESULTS**

The renewal of this grant will enable the District Attorney's Office to investigate and prosecute Workers' Compensation fraud cases for San Luis Obispo County. Historically, this office has had numerous referrals for investigation and prosecution for Workers' Compensation fraud, and will continue to work with the State Fraud Division of the Department of Insurance to investigate and prosecute these crimes. This furthers the department's goal to promote public safety through the efficient and appropriate use of investigation and criminal sanctions so as to deter criminal activity, protect society and punish criminal conduct. This in turn supports the Countywide result of a safe community.

## **ATTACHMENTS**

1. Attachment 1 - Workers' Compensation Grant Resolution FY 14-15
2. Attachment 2 - Workers' Compensation Grant Award Agreement FY 14-15